

1 SENATE JOINT RESOLUTION NO. 21

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6 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
7 MONTANA REQUESTING AN INTERIM STUDY TO MONITOR THE IMPLEMENTATION OF THE LAND USE
8 PLANNING ACT; AND PROVIDING FOR CONTINGENT VOIDNESS.

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10 WHEREAS, the Montana Legislature commonly hears and considers legislation every session
11 regarding land use and planning, including the subdivision and zoning process, a topic that plays a role in
12 alleviating the current housing crisis in the state; and

13 WHEREAS, after the 2021 session, a Land Use Working Group was established, composed of a
14 bipartisan group of legislators and stakeholders from various sectors, including city and county officials and
15 representatives, realtors, builders, land planners, surveyors, and various other stakeholders; and

16 WHEREAS, the work of the Land Use Working Group culminated in a new, comprehensive piece of
17 draft legislation known as the Land Use Planning Act that was introduced as Senate Bill No. 382, which is
18 currently under consideration by the 68th Legislature; and

19 WHEREAS, if passed and approved, the Land Use Planning Act creates a new land use planning
20 framework for cities meeting certain population thresholds and allows other cities and counties the option to use
21 the new framework; and

22 WHEREAS, the intent of the Land Use Planning Act is to alleviate or reduce the regulatory burden on
23 local governments, developers, and ultimately Montana's taxpayers by offering an approach in which housing
24 development is prioritized and a comprehensive plan, allowing for robust public comment and participation, is
25 established in advance of development needs; and

26 WHEREAS, if passed and approved, the Land Use Planning Act creates a process that will benefit from
27 early study to ensure that the act is implemented as intended, challenges are identified early, and any needed
28 legislative changes are brought before the 69th Legislative Session after careful consideration during the

1 interim.

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3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
4 THE STATE OF MONTANA:

5 That the Legislative Council be requested to designate an appropriate interim committee or statutory
6 committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

7 (1) monitor and review the implementation of Senate Bill No. 382, the Land Use Planning Act;

8 (2) request periodic feedback from cities meeting the population threshold requirements
9 established in the act in order to gauge the effectiveness of implementation and to identify challenges;

10 (3) monitor whether city, county, and consolidated city-county governments that are not required to
11 follow the act choose to do so and determine the reasons a local government chooses to follow the act, if
12 applicable;

13 (4) analyze the sections of the act that are working well and which sections pose current or
14 potential implementation challenges, including any unnecessary delays or unforeseen issues; and

15 (5) determine if legislative changes are needed to ensure the intent of the act is achieved or
16 revised to allow for the most effective land use planning to occur in local areas.

17 BE IT FURTHER RESOLVED, that the study include representatives from interested parties, including
18 but not limited to the Montana Association of Counties, the Montana League of Cities and Towns, the Montana
19 Association of Realtors, the Montana Association of Planners, the Montana Building Industry Association, the
20 Department of Environmental Quality, THE DEPARTMENT OF COMMERCE, and other city, county, consolidated city-
21 county government and industry representatives as considered appropriate.

22 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
23 presented to and reviewed by an appropriate committee designated by the Legislative Council.

24 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
25 requirements, be concluded prior to September 15, 2024.

26 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
27 comments, or recommendations of the appropriate committee, be reported to the 69th Legislature.

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